

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 SAT Aero Holdings, Inc., : Civil Action No. 1:24-cv-02300 (VM)  
 Plaintiff, :  
 :  
 v. : **NOTICE OF MOTION OF PLAINTIFF'S**  
 : **MOTION TO DISMISS DEFENDANT'S**  
 Aerolinea del Estado Mexicano, S.A. de : **FIRST AND THIRD COUNTERCLAIMS,**  
 C.V., : **PURSUANT TO FED. R. CIV. P. 12(B)(6)**  
 : **AND 9(B)**  
 Defendant. :  
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PLEASE TAKE NOTICE that upon the pleadings, the annexed Memorandum of Law, and all prior pleadings and proceedings herein, Plaintiff SAT Aero Holdings, Inc. ("Plaintiff") will move this Court, before the Hon. Victor Marrero, United States District Judge, at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York, 10007, at a date and time to be determined by this Court, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), dismissing Defendant Aerolinea del Estado Mexicano, S.A. de C.V.'s ("Defendant") first and third counterclaims with prejudice and awarding such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order dated May 5, 2025 (Dkt. No. 23), Defendant's opposition papers must be filed by June 12, 2025, and Plaintiff's reply papers must be filed by June 20, 2025.

Dated: New York, New York  
 May 22, 2025

Respectfully submitted,

**BAILEY DUQUETTE P.C.**

By: /s/ James D. Bailey  
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To: All Noticed Counsel